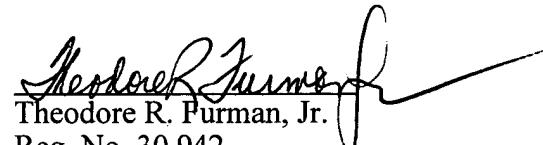


It is earnestly contended that Schmolka is dispensing a liquid whereas the present inventors have taken on the challenge of dispensing a gel which, in fact, is a gel in the container. Present claims 1 and 13 clearly recite that the container is filled with, and dispenses, a gel, not a liquid which forms a gel. This distinction is important, especially in view of the considerable difficulty in dispensing a gel as compared to dispensing a liquid. Withdrawal of the 102 rejection of claims 1 and 13 is respectfully requested.

The Examiner has rejected claims 1-10, 13 and 15-19 under 35 USC 103 as being unpatentable over Court et al (EP '081) in view of Sperry et al ('187). Applicants respectfully traverse this rejection. EP '081 takes a wound dressing which incorporates a wound gel. Sperry discloses a dispensing container for dispensing liquids which can irrigate a wound. Applicants respectfully contend that introducing wound gels to a wound has been a different problem for caregivers in that it can be difficult and inefficient to administer gels with a wound dressing. Also it takes two hands to use a squeezable tube of gel which also has a risk of contamination from the wound if multiple doses are to be administered. Applicants are seeking to have multiple doses of gel administered to a wound in a convenient and non-contaminating fashion where the caregiver can basically carry out this process with one hand. Reference is made to amended claims 1 and 13 and to new claim 20 wherein this method is outlined more clearly. The Sperry reference which deals with dispensing liquids, does not suggest to one skilled in the art that multiple-dose dispensing of a wound gel would work. First, it is clear that there is a difference in the consistency of a gel and a liquid. Therefore, it would not be obvious to one skilled in the art that a liquid dispenser would necessarily function satisfactorily to dispense a much more viscous gel material. Next, Sperry states that the container should contain enough liquid to irrigate a wound. This is a single dose. Applicants herein contemplate a multiple dose container as recited in amended claims 1 and 13 and new claim 20. Withdrawal of the rejection in view of this amendment and discussion are respectfully requested.

The Examiner has also rejected claim 14 over the references above and further in view of Tipton. None of the references, including Tipton, disclose or suggest multiple doses of a wound gel from a barrier aerosol vessel. It is respectfully submitted that because Tipton also deals with dispensing a liquid which forms a film, withdrawal of the rejection and allowance of all the claims (1-10 and 13-20) are earnestly solicited.

Respectfully submitted,


Theodore R. Furman, Jr.
Reg. No. 30,942
Bristol-Myers Squibb Company
100 Headquarters Park Drive
Skillman, New Jersey 08558
908 904-2372

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service to the Assistant Commissioner for Patents, Washington, D.C. 20231 on December 21, 2000.

Signed by: Blake Bolinger

